## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

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IN THE MATTER OF: EARL D. GLICK	)	FILE NO. 0700447
	)	

## **CONSENT ORDER OF REVOCATION**

TO THE RESPONDENT: Earl D. Glick (CRD#:2248187)

127 N. Jupiter

Cortland, Illinois 60112

WHEREAS, Respondent on the 29th day of December, 2007 executed a certain Stipulation to Enter Consent Order of Revocation (the "Stipulation"), which hereby is in corporated by reference herein.

WHEREAS, by means of the Stipulation, Respondent has admitted to the jurisdiction of the Secretary of State and service of the Notice of Hearing of the Secretary of State, Securities Department, dated December 6, 2007 in this proceeding (the "Notice") and Respondent has consented to the entry of this Consent Order of Revocation "Consent Order").

WHEREAS, by means of the Stipulation, the Respondent acknowledged, without admitting or denying the truth thereof, that the following allegations contained in the Notice of Hearing shall be adopted as the Secretary of State's Findings of Fact:

- 1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson and investment adviser representative in the State of Illinois pursuant to Section 8 of the Act.
- 2. That on September 11, 2007 FINRA entered a Letter Of Acceptance, Waiver and Consent (AWC) submitted by the Respondent regarding File NO. 2006005875701. Which sanctioned the Respondent as follows:
  - a. ten business day suspension from association with any NASD member in any capacity; and
  - b. fined \$5,000.

#### 3. That the AWC found:

### **OVERVIEW:**

The Respondent, a principal at RIF'S, accepted authorization from a customer's wife to make 22 liquidations totaling approximately \$66,000 from the customer's variable annuity, without the customer's knowledge or consent. FACTS:

- a. Between approximately July 2003 to May 2005, J.S. maintained a securities account at the Member that was serviced by the Respondent.
- b. At the direction of J.S.'s wife, the Respondent made withdrawals from J.S.'s New York Life variable annuity held in his IRA account, which were placed into the couple's joint checking account. Over a period of 18 months, there were 22 transactions that depleted the entire account. The total amount in the account that had been depleted was approximately \$66,000.
- c. The withdrawals were without the knowledge or consent of J.S., and in the absence of written or oral authorization to the Respondent to exercise discretion in said account. The Respondent had no authority, written or oral, from J.S. to accept direction for trades in his securities account from J.S.'s wife.

# VIOLATIVE CONDUCT BY RESPONDENT

The acts, practices and conduct described above constitute separate and distinct violations in violation of NASD Conduct Rule 2110 and IM 2310-2.

- 4. That Section 8.E(1)(j) of the Act provides, <u>inter alia</u>, that the registration of a salesperson or investment adviser representative may be revoked if the Secretary of State finds that such Salesperson or investment adviser representative has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
- 5. That FINRA is a self-regulatory organization as specified in Section 8.E (1)(j) of the Act.

- 6. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson and investment adviser representative in the State of Illinois pursuant to Section 8 of the Act.
- 7. That on September 11, 2007 FINRA entered a Letter Of Acceptance, Waiver and Consent (AWC) submitted by the Respondent regarding File NO. 2006005875701. Which sanctioned the Respondent as follows: a. ten business day suspension from association with any NASD member in any capacity; and b. fined \$5,000.

WHEREAS, by means of the Stipulation the Respondent acknowledged and agreed that the Secretary of State made the following additional Finding of Fact: That the Respondent terminated his registration as a salesperson and investment adviser representative in the State of Illinois on November 9, 2007.

WHEREAS, by means of the Stipulation Respondent has acknowledged, without admitting or denying the averments, that the following shall be adopted as the Secretary of State's Conclusions of Law:

- 1. That by virtue of the foregoing, the Respondent's registration as a salesperson and investment adviser representative in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.
- 2. That Section 8.E(3) of the Act provides, inter alia, withdrawal of an application for registration or withdrawal from registration as a salesperson or investment adviser representative, becomes effective 30 days after receipt of an application to withdraw or within such shorter period of time as the Secretary of State may determine. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the Secretary of State may nevertheless institute a revocation or suspension proceeding within 2 years after withdrawal became effective and enter a revocation or suspension order as of the last date on which registration was effective.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that his registration as a salesperson and investment adviser representative in the State of Illinois shall be revoked.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has determined that the matter related to the aforesaid formal hearing may be dismissed without further proceedings.

## NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

- 1. The Respondent's registration as a salesperson and investment adviser representative in the State of Illinois shall be and is <u>revoked</u>, effective November 9, 2007.
- 2. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED This 7th day of January 2008.

JESSE WHITE Secretary of State

State of Illinois

Attorney for the Secretary of State: Daniel A. Tunick Office of the Secretary of State Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602

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